

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

**IN THE MATTER OF THE SEARCH
OF:**

**A BLACK CHEVROLET
SILVERADO**

Case No. 2:24mj106-DAO

Filed Under Seal

**AFFIDAVIT IN SUPPORT OF AN APPLICATION UNDER RULE 41
FOR A WARRANT TO SEARCH AND SEIZE**

1. I, Charles Fowler, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

2. I make this affidavit in support of an application under Rule 41 of the Federal Rules of Criminal Procedure for a warrant to search: a 2014 Black Chevrolet Silverado.

PURPOSE OF AFFIDAVIT

3. Based on the facts set forth in this affidavit, there is probable cause to search the location described in Attachment A for evidence, instrumentalities, contraband, and/or fruits, further described in Attachment B, of violations of 18 U.S.C. §§ 113(a)(1), 1153: *Assault with Intent to Commit Murder in Indian Country*, and 18 U.S.C. §§ 113(a)(3), 1153: *Assault with a Dangerous Weapon in Indian Country*, and 18 U.S.C. § 924(c): *Using, Carrying, or Possessing a Firearm During and in Relation to a Crime of Violence or Drug Trafficking Crime*.

4. This Affidavit is intended to show merely that there is sufficient probable cause for the requested warrants and does not set forth all of my knowledge about this matter. The facts set forth in this affidavit are based upon my personal observations, my training and experience, and information obtained from various law enforcement personnel and witnesses. I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary for the limited purpose of establishing probable cause to conduct a search of and for the items described in Attachments A and B for evidence, contraband, and/or instrumentalities of the criminal conduct described herein.

PROBABLE CAUSE

1. At approximately 1:46 pm, Navajo Nation Police Officer Gillis received a call for service to respond to the UNHS Clinic in Monument Valley, Utah. The caller told the dispatcher that a victim of a shooting had been brought to the clinic.
2. Officer Gillis spoke with clinic personnel who told Officer Gillis that the person who brought the victim (K.B.) to the clinic was sitting in a black truck outside. K.B. was found in the rear seat on the driver's side of a black Chevrolet Silverado, and was unresponsive. Officer Gilles then observed HOSTEEN SHEPPARD in the passenger seat of the black Chevrolet Silverado. SHEPPARD told Officer Gillis that he did not know what was going on because he was intoxicated. SHEPPARD was arrested for *Driving Under the Influence (DUI)* because he was seen driving the black Chevrolet Silverado to the clinic.

3. Officer Gillis saw, in plain view, a shell casing and live round of ammunition in vehicle's front passenger floorboard. On the ground next to the open passenger door were two empty beer cans that appeared to have blood on them. Law enforcement also observed blood spatter on the back of the driver's seat near where K.B. had been found.

4. As part of the *DUI* case, the vehicle was inventoried per policy. During this inventory, law enforcement located a 9mm semi-automatic pistol tucked behind a child's safety/booster seat in the middle of the back seat. The shell casing that had been seen before was recovered and was a casing for a 9mm cartridge. Two other shell casings were found in the truck bed and were also 9mm.

5. The victim was pronounced dead at the clinic from an apparent gunshot wound. The gunshot wound that appeared to cause his death was on the back right side of the head and did not appear to be self-inflicted due to its location.

5. The vehicle is now secured at the clinic by Officer Gillis and Special Agent Girod pending a search warrant.

CONCLUSION

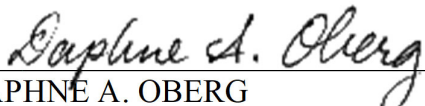
Based on the forgoing, your affiant respectfully requests that the Court issue the proposed search warrant as there is probable cause to believe that evidence of these federal offenses describe above now exists in Attachment A, which is more fully described in Attachment B of this Affidavit.

SWORN TO BY:

/s/ Charles Fowler

SPECIAL AGENT CHARLES FOWLER
UNITED STATES MAGISTRATE JUDGE

Subscribed and sworn to before me on this 5th day of February, 2024


DAPHNE A. OBERG
UNITED STATES MAGISTRATE JUDGE

PROPERTY TO BE SEARCHED

This warrant authorizes the search of a Black 2014 Chevrolet Silverado, bearing Utah license plate G746GX, Vehicle Identification Number (VIN) 1GCVKSEC4EZ394054, with the registered owner of HOSTEEN SHEPPARD which is currently located at 30 W Medical Dr, Oljato-Monument Valley, UT 84536.

ATTACHMENT B-1
Evidence to be seized by the Government

The items of evidence to be seized from the location described in Attachment A, including fruits, evidence, information relating to, contraband, or instrumentalities, in whatever form and however stored, relating to violations of 18 U.S.C. §§ 113(a)(1), 1153: *Assault with Intent to Commit Murder in Indian Country*, and 18 U.S.C. §§ 113(a)(3), 1153: *Assault with a Dangerous Weapon in Indian Country*, and 18 U.S.C. § 924(c): *Using, Carrying, or Possessing a Firearm During and in Relation to a Crime of Violence or Drug Trafficking Crime* as described in the search warrant affidavit, including, but not limited to:

- a. Collection of miscellaneous DNA swabs from various parts of the vehicle.
- b. Collection of latent fingerprints from the outside and inside of the vehicle.
- c. Papers and personal belongings that may help to identify any vehicle occupants.
- d. Firearms and components of firearms.
- e. Ammunition and components of ammunition.